

TOWN OF BUCKEYE
REGULAR COUNCIL MEETING

FEBRUARY 7, 2006

AGENDA

Town Council Chambers
100 N. Apache Road
Buckeye, AZ 85326
7:00 p.m.

Accessibility for all persons with disabilities will be provided upon request. Please telephone your accommodation request (623 386-4691) 72 hours in advance if you need a sign language interpreter or alternate materials for a visual or hearing impairment. (TTD 623 386-4421)

Members of the Town Council will either attend in person or by telephone conference call or video presentation. Items listed may be considered by the Council in any order.

REVISED AGENDA – The following two items have been added to the Council Agenda:

7D. Council to consider and if advisable, adopt Resolution 08-06 acknowledging the need to accelerate the construction of Interstate 10 Transportation Improvements, and should other southwest valley cities adopt a similar resolution, staff may seek future approval from Council to establish a 1/10 to 2/10 of one percent sales tax to fund the improvements, and the dedicated sales tax would sunset when the capital funds are reimbursed by Proposition 400.

7E. Council to consider and if advisable, approve granting of an easement in favor of Arizona Public Services, a subsidiary of Pinnacle West Capital Corp., above, on, and below the surface of the Town property located at 423 E. Arizona Eastern Avenue.

Posted 2-6-06 4:15 p.m.

1. Call to Order/Pledge of Allegiance/Roll Call.

Council Action: None.

2. Comments from the Public - Members of the audience may comment on any item of interest. Council Action: Open Meeting Law does not permit Council discussion of items not specifically on the agenda.

CONSENT AGENDA ITEMS

Approval of items on the Consent Agenda - All items with an (*) are considered to be routine matters and will be enacted by one motion and vote of the Town Council. There will be no separate discussion of these items unless a Councilmember requests, in which event the item will be removed from the consent agenda and considered in its normal sequence.

***3. Council to consider and if advisable, approve the minutes of the January 17, 2005 Council Workshop and Regular Council Meeting as presented.**

***4. Council to consider and if advisable, approve the invoices due by the Town for payment. Copies of invoices are available at Town Hall.**

5. New Business

***5A. Council to consider and if advisable, adopt Ordinance 10-06 increasing the corporate limits of the Town of Buckeye by annexing certain territory contiguous to the existing Town limits of the Town of Buckeye, Arizona, located to the southeast of Van Buren Street and Turner Road and read by title only. Request by Stephen Earl on behalf of Stardust Development Inc. to annex approximately 20 acres from Maricopa County to the Town, and within the Tartesso Master Planned Community. STARDUST DEVELOPMENT A05-40**

***5B. Council to consider and if advisable, adopt Ordinance 11-06 amending the zoning map of the Town of Buckeye on approximately 54 acres generally located at the southeast corner of Yuma Road and the 247th Avenue alignment from the Commercial Center (CC) Zoning District to the Planned Residential (PR) Zoning District and read by title only. Request by Paul Gilbert of Bues Gilbert, PLLC, on behalf of Buena Vista 170, LLC. BUENA VISTA 170 LLC RZ05-44**

***5C. Council to consider and if advisable, adopt Ordinance 12-06 amending the Town Code of the Town of Buckeye by amending Chapter 2, Article 2-5 relating to the adoption of ordinances and resolutions (allowing adoption by motion without the requirement to read by title only) and read by title only.**

***5D. Council to consider and if advisable, approve Ordinance 13-06 amending the Buckeye Town Code by amending the Buckeye Town Code, Chapter 12, Article 12-2, related to traffic regulations, traffic control devices and other traffic related authorities and read by title only.**

***5E. Council to consider and if advisable, approve the request by Patrick Michael Gallagher for a Series 9 Liquor License (Liquor Store – all spirituous liquors) for The Bucher & The Farmer Marketplace located at 224 Monroe Avenue, Buckeye, AZ.**

***5F. Council to consider and if advisable, approve the Central Arizona Water Conservation District License Agreement No. 05-015 and authorize the Mayor to execute the agreement.**

***5G. Council to consider and if advisable, approve the Type 2 Water Right Sublease Agreement and Notice to Arizona Department of Water Resources (ADWR) for the DR Horton-Farallon project.**

***5H. Council to consider and if advisable, ratify the Council Subcommittee's recommendation of November 7, 2005 to reappoint all current Board members to the Library Board.**

***5I. Council to consider and if advisable, ratify the Special Event Application for the Helzapoppin Senior Pro Rodeo Carnival held February 2, 2006 through February 5, 2006.**

*Council Action: Motion to approve the consent agenda items: *3, *4, *5A, *5B, *5C, *5D, *5E, *5F, *5G, *5H, and 5I.*

6. PUBLIC HEARING

6A. A Public Hearing will be conducted to hear citizen input on the proposed major amendment to the Festival Ranch Community Master Plan to allow for mechanical equipment, such as air conditioning units, to be placed in a five foot side setback.

Council Action: None.

7. NON CONSENT AGENDA ITEMS

7A. Council to consider and if advisable, adopt Ordinance 14-06 approving the first amendment to the development agreement approving a major amendment to the Festival Ranch Community Master Plan to allow for mechanical equipment, such as air conditioning units, to be placed in a five foot side setback and read by title only.

Council Action: Discussion and possible motion.

7B. Council to consider and if deemed advisable, adopt Resolution 06-06 declaring the intention to form Street Light Improvement District No. 1; and declaring an emergency.

Council Action: Discussion and possible motion.

7C. Council to consider and if deemed advisable, adopt Resolution 07-06 ordering the improvement as described in Resolution 06-06, the formation of Street Light Improvement District No. 1; and declaring an emergency.

Council Action: Discussion and possible motion.

7D. Council to consider and if advisable, adopt Resolution 08-06 acknowledging the need to accelerate the construction of Interstate 10 Transportation Improvements, and should other southwest valley cities adopt a similar resolution, staff may seek future approval from Council to establish a 1/10 to 2/10 of one percent sales tax to fund the improvements, and the dedicated sales tax would sunset when the capital funds are reimbursed by proposition 400.

Council Action: Discussion and possible motion.

7E. Council to consider and if advisable, approve granting of an easement in favor of Arizona Public Services, a subsidiary of Pinnacle West Capital Corp., above, on, and below the surface of the Town property located at 423 E. Arizona Eastern Avenue.

Council Action: Discussion and possible motion.

8. Town Manager's Report - The Town Manager may provide a brief summary of current events; however, there can be discussion on the following matters:

- (1) *Manager's update on Council related matters*
- (2) *Update on Legislative issues.*

9. Comments from the Mayor and Council- *Mayor and Council may present a brief summary on current events. The Council may not propose, discuss, deliberate, or take any legal action on information presented. Council may direct inquiries to staff.*

10. Adjournment.

Council Action: Motion to adjourn.